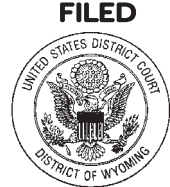


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING



10:15 am, 10/26/20

**U.S. Magistrate Judge**

CLOUD PEAK ENERGY, INC., *et al.*, )  
)  
*Petitioners,* )  
)  
v. )  
)  
UNITED STATES DEPARTMENT OF )  
THE INTERIOR, *et al.*, )  
)  
*Respondents.* )

Civil Case No. 19-cv-120-SWS  
(Lead Case)

**ORDER GRANTING JOINT MOTION TO ESTABLISH SCHEDULE**

**THIS MATTER** is before the Court on the joint motion of counsel proposing a schedule to address the merits of these cases seeking review of agency action. The Court reviewed this matter, and finds that the motion should be granted. Accordingly,

**IT IS HEREBY ORDERED** that that the following schedule shall govern further proceedings in these consolidated cases:

1. Opening briefs by Petitioners, and/or dispositive motions or motions otherwise proposing a form of judgment(s), will be filed not later than **December 4, 2020**. Each Petitioner will file an opening brief of up to 30 pages or 13,000 words, or Petitioners will file a joint brief(s) combining those page/word limits for each Petitioner group, up to a possible total if all three Petitioners groups file jointly of 90 pages or 39,000 words. *See* Local Rule 83.6(c) and FED. R. APP. P. 32(a)(7).

2. A response brief by Federal Respondents, and the response(s) of any party to any other motion(s), will be filed not later than **January 15, 2021**. In accordance with

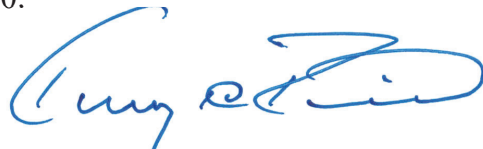
the above-cited rules, Federal Respondents will file a combined response brief with the same total page/word limit as for Petitioners' Opening Brief(s).

3. Separate response briefs by State Respondent-Intervenors and Conservation Group Respondent-Intervenors, and any reply to other motion(s), will be filed not later than **January 29, 2021**. Respondent-Intervenors will coordinate to avoid duplication and redundancy, and will file response briefs of up to 15,000 words each.

4. Reply briefs by Petitioners will be filed not later than **March 1, 2021**, with limits of up to 15 pages or 6,500 words for each Petitioner group, which may be combined in a joint reply brief.

5. The parties have requested to present oral argument. The Court will determine whether argument is warranted and advise the parties through subsequent order of the date and manner of any argument.

DATED this 26th day of October 2020.



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KELLY H. RANKIN  
UNITED STATES MAGISTRATE JUDGE